IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 313 OF 1987

The Board of Trustees of the Port
of Bombay .. Plaintiff

versus

Raj Enterprises & Anr. .. Defendants

...

Mr.U.J. Makhija i/b Mulla & Mulla for the plaintiff.
None present for defendant no.1.
Mr.Mannadiar for defendant no.2.

CORAM : D.G. KARNIK, J

DATED : 16th June 2006.

P.C.:

1. Heard learned counsel for the plaintiff. None present for defendant no.1. Learned counsel for the defendant no.2 reports no instructions.

2. The defendants have not filed their written statement for nearly 18 years. The suit is for

recovery of money. Hence, I consider it appropriate to proceed under Order 8 Rule 10 of the Code of Civil Procedure. Accordingly, suit of the plaintiff is decreed under Order 8 Rule 10 of the Code of Civil Procedure in terms of prayer clause (a).

(D.G. KARNIK, J)